

Mérida Initiative: U.S. Anticrime and Counterdrug Assistance for Mexico and Central America

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Summary

In October 2007, the United States and Mexico announced the Mérida Initiative, a multi-year proposal for \$1.4 billion in U.S. assistance to Mexico and Central America aimed at combating drug trafficking, gangs, and organized crime. On May 14, 2008, the House Committee on Foreign Affairs approved a bill, H.R. 6028 (Berman), which would authorize \$1.6 billion for the Initiative from FY2008 through FY2010. The Bush Administration requested \$500 million for Mexico and \$50 million for Central American countries in its FY2008 supplemental appropriations request. In late June 2008, Congress appropriated \$465 million in FY2008 and FY2009 supplemental assistance for Mexico and Central America in the FY2008 Supplemental Appropriations Act, H.R. 2642 (P.L. 110-252). In the act, Mexico receives \$352 million in FY2008 supplemental assistance and \$48 million in FY2009 bridge fund supplemental assistance, while Central America, Haiti, and the Dominican Republic receive \$65 million in FY2008 supplemental assistance. The Administration has requested an additional \$450 million for Mexico and \$100 million for the Central American countries under the Mérida Initiative in its FY2009 budget request. This report will be updated. See also CRS Report RL32724, *Mexico-U.S. Relations: Issues for Congress*, by Mark P. Sullivan and June S. Beittel, and CRS Report RL34112, *Gangs in Central America*, by Clare Ribando Seelke.

Contents

| | |
|--|---|
| Background | 1 |
| Mexico Program Components..... | 2 |
| Counternarcotics, Counterterrorism, and Border Security..... | 2 |
| Public Security and Law Enforcement | 2 |
| Institution Building and Rule of Law | 3 |
| Program Support | 3 |
| Central America Program Components..... | 3 |
| Counternarcotics, Counterterrorism and Border Security..... | 3 |
| Public Security and Law Enforcement | 3 |
| Institution Building and Rule of Law | 4 |
| Program Support | 4 |
| Legislation..... | 4 |

Tables

| | |
|--|---|
| Table 1. Mérida Funding Request by Program Components..... | 1 |
| Table 2. Mérida Funding | 5 |

Contacts

| | |
|-------------------------|---|
| Author Information..... | 5 |
|-------------------------|---|

Background

The Mérida Initiative, named for the location of a March 2007 meeting between Presidents George W. Bush and Felipe Calderón of Mexico, expands bilateral and regional cooperation to combat drug trafficking organizations, gangs, and other criminal groups. The stated objective of the Mérida Initiative, according to the U.S. and Mexican government joint statement of October 2007, is to maximize the effectiveness of existing efforts against drug, human, and weapons trafficking. The joint statement highlights current efforts of both countries, including Mexico's 24% increase in security spending in 2007 and U.S. efforts to reduce weapons, human, and drug trafficking along the Mexican border.¹ The Central America portion of the Initiative aims to support implementation of the U.S. Strategy for Combating Criminal Gangs from Central America and Mexico and to bolster the capacity of governments to inspect and interdict unauthorized drugs, goods, arms, and people.

The Administration requested \$500 million for Mexico and \$50 million for Central American countries in its FY2008 supplemental appropriations request. In the FY2009 foreign aid request, the Administration requested another \$550 million for the Mérida Initiative – \$450 million for Mexico and \$100 million for Central American countries. All of the proposed funding has been requested through the International Narcotics Control and Law Enforcement (INCLE) account, administered by the Department of State Bureau of International Narcotics and Law Enforcement Affairs (INL). **Table 1** provides a broad summary of the types of programs to be funded by the Initiative.

Table 1. Mérida Funding Request by Program Components

(\$ in millions)

| Type of Funding | FY2008 Supplemental Request (Mexico) | FY2008 Supplemental Request (Central America) | FY2009 Request (Mexico) | FY2009 Request (Central America) |
|---|---|--|-------------------------------|--|
| Counternarcotics, Counterterrorism, and Border Security | 306.3 | 16.6 | 238.3 | 40.0 |
| Public Security and Law Enforcement | 56.1 | 25.7 | 158.5 | 32.0 |
| Institution Building and Rule of Law | 100.6 | 7.7 | 30.7 | 23.0 |
| Program Support | 37.0 | — | 22.5 | 5.0 |
| Total | 500.0 | 50.0 | 450.0 | 100.0 |

Sources: U.S. Department of State briefing paper provided to Congressional offices; U.S. Department of State, Congressional Budget Justification for Foreign Operations, FY2009.

¹ Although the statement did not announce additional funding for U.S. domestic efforts, it cited several examples of such efforts to combat drugs and crime that are already in place. Those examples included the 2007 Southwest Border Counternarcotics Strategy and the 2008 National Drug Control Strategy. See U.S. Department of State and Government of Mexico, "Joint Statement on the Mérida Initiative," October 22, 2007.

Mexico Program Components²

Counternarcotics, Counterterrorism, and Border Security

This is the largest category of aid in the proposed Mérida Initiative and is intended to provide equipment and technology infrastructure improvements for Mexican military and law enforcement agencies. In the FY2008 supplemental request, nearly two thirds of the requested \$306.3 million for this category (\$208.3 million) was requested for the procurement of eight transport helicopters, including a \$24 million logistics, spare parts, and training package, for the Mexican Army and Navy; 87 handheld ion scanners for the Mexican Air Force and Army; two surveillance planes for the Mexican Navy; and equipment for two aircraft operated by the Mexican Attorney General's Office. The Administration also requested \$31.5 million for the provision of inspections equipment and canine training to Mexican customs for use at points of entry. The Administration asked for \$31.3 million to modernize the Mexican immigration agency's database and document verification system and to equip and train immigration agency personnel in rescue and safety techniques to be used along Mexico's southern border. The request included \$25.3 million to secure communications systems among Mexican security agencies and inspection facilities for mail facilities. It contained \$7.9 million to improve database interconnectivity; data management, and forensic analysis tools for Mexican intelligence agencies. The Administration also sought \$2 million to expand the Mexican Attorney General Office's (PGR) support of the Operation Against Smugglers Initiative on Safety and Security (OASISS), a program aimed at identifying and prosecuting human smugglers along the U.S.-Mexico border.

In the FY2009 request, the Administration placed more emphasis on assistance to non-military agencies than in the FY2008 supplemental request. The FY2009 request included \$118 million to improve infrastructure and information systems at non-military agencies, including Mexico's immigration agency, the PGR, the intelligence service (CISEN), the postal service, and customs. With respect to military agencies, the FY2009 request included \$100 million to support fixed wing aircraft for surveillance and counternarcotics interception missions carried out by the Mexican Navy and \$20 million in gamma ray inspection equipment for use at Army checkpoints.

Public Security and Law Enforcement

In the FY2008 supplemental request, the Administration requested the bulk of this aid, \$30 million, for the provision of inspection scanners, x-ray vans, and a canine detection team for police in Mexico's Ministry of Public Security. It requested another \$6 million to provide security equipment, including armored vehicles, and bullet-proof vests, to Mexican law enforcement personnel investigating organized crime. The Administration also asked for \$5 million to upgrade computer infrastructure used to counter money laundering. The FY2008 supplemental request also included \$15.1 million to support the drug demand reduction efforts of Mexico's Secretariat of Health. For FY2009, The Administration requested \$158.5 million in this category. Most of the assistance, \$147.6 million, would go to support the Mexican federal police, which would receive: transport helicopters and maintenance support (\$106 million); mobile gamma ray inspection equipment (\$26 million); x-ray vans for light vehicles (\$4.8 million); and, canine training (\$0.75 million). The Administration requested another \$10.9 million to support drug demand reduction programs.

² Information for sections on proposed funding components for Mexico and Central America are from Department of State briefing papers submitted to Capitol Hill Offices.

Institution Building and Rule of Law

In the FY2008 supplemental request, the Administration asked for \$100.6 million in this category, with some \$60.7 million for an array of efforts, including revamping information management and forensics systems at Mexico's Office of the Attorney General (PGR); training in courts management, prison management, asset forfeiture, and police professionalization; support for anti-gang and anti-organized crime units; victim and witness protection program support; and extradition training. The PGR would receive \$19.9 million for digitalization, database improvements, and a case management system, and \$5 million in unspecified support of the its Forensic Institute. The Administration's request included \$15 million to promote anti-corruption, transparency, and human rights, though support of law enforcement, court institutions, and civil society groups working to improve the efficiency and responsiveness of the justice system. For FY2009, the Administration requested significantly less funding for this category, \$30.7 million, with \$23.4 million to improve the justice system; \$8.5 million to support the PGR's Forensic Institute; and \$9.4 million to support improved data collection and analysis.

Program Support

The FY2008 supplemental request included \$37 million and the FY2009 request included \$22.5 million for program support to cover the cost of U.S. personnel, administration, and budget services related to the proposed aid package.

Central America Program Components

Counternarcotics, Counterterrorism and Border Security

For FY2008, the Administration requested \$16.6 million for this category, spread out among the seven Central American countries. The Administration proposed spending \$7.5 million to support the Central American Fingerprinting Exploitation (CAFÉ) initiative to facilitate information-sharing about violent gang members and other criminals, to improve drug crime information sharing and collection, and to expand sensitive investigation police units dedicated to counternarcotics efforts. It asked for \$5.3 million for programs to improve maritime interdiction capabilities and to provide technical assistance on firearms tracing, interdiction, and destruction. The Administration also proposed giving \$3.8 million for port, airport, and border security, including equipment and training through the Organization of America States (OAS) Inter-American Committee Against Terrorism. For FY2009, the Administration requested \$40 million in this category. More than half of that money, \$25.8 million, would go to land and maritime interdiction and interception assistance, as well as to a regional arms tracking program. The FY2009 request also included \$1 million to support the drug demand reduction efforts of the OAS Inter-American Drug Abuse Control Commission and \$2 million to combat currency smuggling.

Public Security and Law Enforcement

In the FY2008 supplemental request, the majority of proposed funding for Central America, \$25.7 million, was specified for programs to improve policing and support anti-gang efforts. The Administration requested \$12.6 million to implement the U.S. Strategy for Combating Criminal Gangs from Central America and Mexico, including support for diplomatic efforts, funding for the electronic travel document (eTD) system to provide biometric and biographic information on persons being deported from the United States, anti-gang units, and community-based prevention programs. It asked for another \$11.1 million to provide specialized police training and equipment.

Some \$2 million would fund the International Law Enforcement Academy (ILEA) in El Salvador. The Administration's request for funding in this category did not change significantly in the FY2009 budget request. The FY2009 request included \$13 million to implement the U.S. anti-gang strategy, with \$7.5 million of that slated for community prevention programs, up from \$5 million in the FY2008 supplemental request. It also included \$13 million for police modernization and technical assistance and \$6 million to support the ILEA.

Institution Building and Rule of Law

The Administration also proposed \$7.7 million in rule of law programs in the FY2008 supplemental request, including improvement of court management and prosecutorial capacity building; reforming prison management; supporting community policing programs, and providing assets forfeiture capacity training. The Administration's FY2009 budget request for this category rose to \$23 million. The largest increases from the FY2008 supplemental request were for courts management programs and training to improve prosecutorial capacity. The FY2009 budget request also included \$2 million for juvenile justice systems and rehabilitation programs and \$1 million for programs to build public confidence in the justice system, two components not included in the FY2008 supplemental request.

Program Support

The FY2009 budget request included \$5 million in unspecified program support.

Legislation

While several Members of Congress initially expressed concern that they were not adequately consulted by the Administration during the development of the Mérida Initiative, a majority have subsequently voted in support of the package. On May 14, 2008, the House Committee on Foreign Affairs approved H.R. 6028 (Berman), the Merida Initiative to Combat Illicit Narcotics and Reduce Organized Crime Authorization Act of 2008. The bill would authorize \$1.6 billion over three years, FY2008-FY2010, for both Mexico and Central America, \$200 million more than originally proposed by President Bush. Of that amount, \$1.1 billion would be authorized for Mexico, \$405 million for Central America, and \$73.5 million for activities of the U.S. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to reduce the flow of illegal weapons from the United States to Mexico. Among the bill's various conditions on providing the assistance, the measure requires that vetting procedures are in place to ensure that members or units of military or law enforcement agencies that may receive assistance have not been involved in human rights violations.

In terms of appropriations legislation, FY2008 supplemental funding for the Mérida Initiative was considered as part of a broader FY2008 Supplemental Appropriations Act, H.R. 2642 (Edwards). Originally introduced June 11, 2007 as the FY2008 Military Construction and Veterans Affairs Appropriations Act, this bill subsequently became the vehicle for the second FY2008 supplemental appropriations measure. The May 15, 2008 House-amended version of the bill would have provided \$461.5 million for the Mérida Initiative. Mexico would have received \$400 million divided between INCLE, Economic Support Fund (ESF), and Foreign Military Financing (FMF) accounts, while Central America, Haiti, and the Dominican Republic would have received a total of \$61.5 million divided between INCLE, ESF, FMF, and Nonproliferation, Anti-Terrorism, Demining and Related Programs (NADR) aid accounts. The Senate version of H.R. 2642, as amended on May 22, 2008, would have provided \$450 million for the Mérida Initiative,

with \$350 million for Mexico in the INCLE account; and \$100 million for Central America, Haiti, and the Dominican Republic divided between the INCLE and ESF accounts.

On June 19, 2008, the House approved an amended version of the FY2008 Supplemental Appropriations Act, H.R. 2642, that provides \$465 million in FY2008 and FY2009 supplemental assistance for Mexico and Central America. The Senate approved the compromise House version of H.R. 2642 on June 26, 2008. The bill was then signed into law by President Bush on June 30, 2008 (P.L. 110-252). In the act, Mexico receives \$352 million in FY2008 supplemental assistance and \$48 million in FY2009 bridge fund supplemental assistance, while Central America, Haiti, and the Dominican Republic receive \$65 million in FY2008 supplemental assistance. The measure has human rights conditions softer than compared to earlier House and Senate versions, largely because of Mexico's objections that some of the original conditions, particularly those in the Senate version of the bill, would violate its national sovereignty. The language in the final enacted measure reduced the amount of funding subject to human rights conditions, from 25% to 15%, removed conditions that would have required the Mexican government to try military officials accused of abuses in civilian courts and to enhance the power of its National Human Rights Commission, and softened the language in other conditions.

Table 2. Mérida Funding
(\$ in millions)

| Country | FY2008 Supp. Request | FY2008 Supp. (H.R. 2642) House | FY2008 Supp. (H.R. 2642) Senate | Final FY2008 Supp. Act (H.R. 2642/ P.L. 110-252) | FY2009 Regular Request |
|------------------------------------|----------------------------|--------------------------------------|---------------------------------------|---|------------------------------|
| Mexico | 500.0 | 400.0 | 350.0 | 400.0 ^a | 450.0 |
| Central America | 50.0 | 56.5 | 90.0 | 60.0 | 100.0 |
| Haiti ^b | 0.0 | 2.5 | 5.0 | 2.5 | 0.0 |
| Dominican Republic ^b | 0.0 | 2.5 | 5.0 | 2.5 | 0.0 |
| Total | 550.0 | 461.5 | 450.0 | 465.0 | 550.0 |

Source: FY2009 figures are from the U.S. Department of State, Congressional Budget Justification for Foreign Operations, FY2009.

- This \$400 million is divided between \$352 million in FY2008 supplemental assistance and \$48 million in FY2009 bridge fund supplemental assistance.
- Haiti and the Dominican Republic were not included as part of the original Mérida proposal.

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